

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	)	
	)	
<b>Geoffrey Lee</b>	)	Art Unit: 1612
	)	
Application No.: 10/502,495	)	Examiner: Maewall, Snigdha
	)	
Filed: June 24, 2005	)	Confirmation No.: 5458
	)	
FOR: <b>DERMAL APPLICATION SYSTEM</b>	)	
<b>FOR AMINOLEVULINIC ACID-</b>	)	
<b>DERIVATIVES</b>	)	

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER**  
**TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

BALLARD SPAHR ANDREWS & INGERSOLL, LLP  
Customer No. 23859

May 21, 2009

Dear Sir:

Applicant or patent owner hereby appeals under 37 C.F.R. § 41.31 to the Board of Patent Appeals and Interferences from the decision of the Examiner dated finally rejecting claims 1-14.

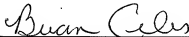
The items checked below are appropriate:

1. ☒ An extension of time to respond to the final rejection:  
(a) ☐ was obtained for \_\_\_\_ month(s).  
(b) ☒ is requested herewith under 37 C.F.R. § 1.136.
2. A credit card payment is submitted herewith *via* EFS Web in the amount of \$335.00. This amount is believed to be correct; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

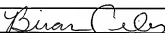
- ☒ Appeal fee amount pursuant to 37 C.F.R. § 41.20(b)(1) = \$270.00 for a small entity
- ☒ Extension of time fee amount pursuant to 37 C.F.R. §1.17(a)(1) = \$65 - one month extension of time fee.
3. ☐ Enclosed is a Pre-Appeal Brief Request for Review and \_\_\_\_ sheets of reasons.

Respectfully submitted,

BALLARD SPAHR ANDREWS & INGERSOLL, LLP

  
P. Brian Giles, Ph.D.  
Registration No. 57,896

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CERTIFICATE OF ELECTRONIC TRANSMISSION UNDER 37 C.F.R. § 1.8			
I hereby certify that this correspondence, including any items indicated as attached or included, is being transmitted via electronic transmission via EFS-Web on the date indicated below.			
Name of Person (Print/Type)	P. Brian Giles, Ph.D.		
Signature		Date	5-21-2009